



ARKANSAS DEPARTMENT OF THE MILITARY
OFFICE OF THE ADJUTANT GENERAL
CAMP JOSEPH T. ROBINSON
NORTH LITTLE ROCK, ARKANSAS 72199-9600



SARAH HUCKABEE SANDERS
GOVERNOR

JONATHAN M. STUBBS
MAJOR GENERAL
THE ADJUTANT GENERAL

NGAR-JA

01 March 2023

MEMORANDUM FOR

Post Commander (NGAR-RTC), Robinson Maneuver Training Center, Bldg 5130,
North Little Rock, Arkansas 72199-9600

Post Commander (NGAR-CTC-C), Fort Chaffee Joint Maneuver Training Center, Bldg
13702, Fort Smith Boulevard, Fort Chaffee, Arkansas 72905-5000

Camp Robinson Department of Public Safety, 7200 Arkansas Ave, Bldg 7200
North Little Rock, Arkansas 72199-9600

Fort Chaffee Department of Public Safety, 2100 Fort Smith Boulevard, Fort Chaffee,
Arkansas 72905-5000

SUBJECT: The Adjutant General's Directive No. 2023-05, Referral of Major Felony and Sexual Assault Investigations on Arkansas National Guard Property/Facilities to Local Law Enforcement

1. References.

- a. Arkansas Code Annotated (A.C.A.) § 12-63-201, et seq., Policing and Regulation.
- b. CNGBI 1300.01, National Guard Sexual Assault Prevention and Response Program, 26 June 2020.
- c. DoDI 6495.02, Incorporating Change 7, Sexual Assault Prevention and Response Program Procedures, 6 September 2022.
- d. CNGBM 0400.01A, National Guard Complex Administrative Investigations Procedures, 16 May 2018.

2. Purpose. This memorandum provides direction regarding the handling of reports of possible major felony violations of Arkansas or federal law¹ occurring in or on Arkansas National Guard (NG AR) property/facilities. The purpose of this memorandum is to

¹ Major felony violations, for the purpose of this Directive, include all homicides, sex crimes, arson, or crimes involving the use of a deadly weapon.

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ensure that investigations into possible major felony criminal conduct or sexual assaults occurring on military reservations in Arkansas under the command and control of The Adjutant General are conducted by civilian law enforcement organizations not associated with the Arkansas National Guard.

3. Background.

a. The Adjutant General, as custodian of military reservations identified in A.C.A. § 12-63-201², has designated and appointed police officers at both Camp Joseph T. Robinson (Camp Robinson Police Department) and Fort Chaffee (Fort Chaffee Police Department).

b. Except to the extent otherwise limited by The Adjutant General, these police officers are charged with and can prevent crimes, enforce traffic laws, recognize parking violations, issue traffic citations, and identify safety hazards and violators. They also perform other duties to ensure safety and security of personnel, NGAR property and facilities.³ State law prevails if there is conflict between what a police officer's position description and state law says.⁴

c. These police departments have mutual aid agreements with surrounding law enforcement agencies, to include the Arkansas State Police, local Sheriff's Departments, and other municipal police departments.

d. Department of Defense Directives and Army and Air Force regulations applicable to the National Guard require all unrestricted reports of sexual assault to be referred to the appropriate military criminal investigative organization (MCIO) or civilian law

² Definition. For the purpose of this subchapter, the term "military reservation" shall apply to and encompass all lands, buildings, and improvements used for military training purposes on:
(1) Camp Joseph T. Robinson, both that portion owned by the State of Arkansas and used by the National Guard and that portion owned by the United States, which consists of thirty-one and one-half (31.5) acres more or less, and used by the United States Army Reserve, the United States Navy Reserve, and the United States Marine Corps Reserve;
(2) Properties licensed by the United States to the State of Arkansas to use and occupy for year-round training and support of the Arkansas Air National Guard;
(3) Taxiways, runways, and other airport land and improvements used by military aircraft in conjunction with and adjacent to those properties described in subdivision (2) of this section; and
(4) Fort Chaffee, including that part owned, leased, licensed, operated, maintained, occupied, or controlled by the Adjutant General and that part owned, leased, licensed, operated, maintained, occupied, or controlled by any other component of the active or reserve military forces of the United States, or any other part that is leased, licensed, operated, maintained, occupied, or controlled by any political subdivision, agency, person, firm, corporation, or association for use by the active or reserve military forces of the State of Arkansas and the United States.

³ A.C.A. §12-63-203. Police officers – Powers and duties.

⁴ *Ibid.* for police officers' powers and duties, generally.

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enforcement organization (LEO) and the Sexual Assault Response Coordinator (SARC).

4. Policy.

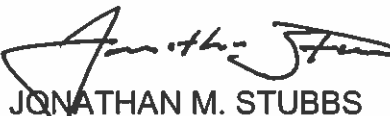
a. Commanders are prohibited by DoD Directives, Army and Air Force regulations, and TAG Policy 2021-07, Sexual Assault Reporting and Case Management Procedures, from conducting internal command-directed investigations into allegations of sexual assault or delaying immediately contacting the MCIO or LEO IAW Department of Defense (DoD) and Service-specific policy.

b. Camp Robinson P.D. or Fort Chaffee P.D. will coordinate to the maximum extent possible with local LEOs when they receive a report of a major felony violation of Arkansas or federal law or sexual assault occurring within their jurisdiction.⁵ The purpose of this coordination is to ensure that the investigation is handled by a LEO not associated with the Arkansas National Guard.

c. When either Camp Robinson P.D. or Fort Chaffee P.D. receives a report of a major felony violation of Arkansas or federal law or sexual assault occurring on their military reservation, it will ensure control and safety of the scene of the reported felony or sexual assault and immediately notify either the Arkansas State Police or local Sheriff's Department and request the LEO investigate.

5. A copy of this Directive will be posted on bulletin boards in Camp Robinson P.D. and Fort Chaffee P.D.

6. POC for this memorandum is the Staff Judge Advocate at 501-212-5033.


JONATHAN M. STUBBS
Major General
The Adjutant General

⁵ A.C.A. § 12-63-203.